

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – June 9, 2005
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley *(voting on items 1-33, 35-61, 63-69)*

Members: Henry P. Szymanski *(voting on items 1-34, 36-54,56-69)*
Scott R. Winkler *(voting on items 31-34, 36-69)*
Catherine M. Doyle *(voting on items 1-32, 34, 36-62, 64-69)*
Donald Jackson *(voting on items 1-69)*

Alt. Board Members: Georgia M. Cameron *(voting on items 1-34, 55, 62, 63)*
Leni M. Siker *(Excused)*

START TIME: 3:09p.m.

End Time: 7:16p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	26706 Special Use	Candice Wells Request to continue occupying a portion of the premises as a personal service facility (nail salon).	1007 N. Cass St. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	26674 Special Use	Lisa Lor Property Owner Request to occupy the premises as a day care center for 8 children infant to 12 yrs. of age, Sunday thru Saturday 6:00 a.m. to 12:00 a.m.	10206 W. Leon Tr. 5th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	25835 Use Variance	James Cape & Sons Co. Lessee Request to continue occupying the premises as a processing or recycling of mined materials facility (concrete crushing and storage).	6245 S. 6th St. 13th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	26587 Special Use	Children's Diversity North Side Academy, Inc.;Prospective Buyer Request to occupy the premises as a day care center for 120 children, 6 wks. - 12 yrs. of age, Monday thru Friday 6:00 a.m. to 6:00 p.m.	3002 W. Silver Spring Dr. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 7. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	26654 Special Use	<p>Cherie Sims, Lessee</p> <p>Request to add 53 children to the existing day care center creating a total population of 92 children on site, infant to 12 yrs. of age, open Monday - Friday, 24 hrs. per day (previous hours were 6:30 a.m. - 12:00 a.m. Mon. - Sat.).</p>	<p>3532 W. Villard Av. A/K/A 5204 N 36th St. 1st Dist.</p>
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.	
6	26712 Use Variance	<p>Tammy Perry, Property Owner</p> <p>Request to continue occupying the premises as a day care center for 40 children, infant to 12 yrs. of age, 6:00 a.m. - 1:00 a.m. Monday - Friday.</p>	<p>4843 N. Hopkins St. 1st Dist.</p>
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	26714 Use Variance	New Hope Missionary Baptist Church Lessee Request to continue occupying the premises as a family day care center for 8 children infant to 12yrs of age, Monday-Friday 6:30am-6:00pm. Action: Granted 5 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there be no signage associated with the day care facility 5. That the outdoor play area is not utilized before 9:00 A.M. 6. That this Variance is granted for a period of five (5) years, commencing with the date hereof.	2440 W. Atkinson Av. 1st Dist.
8	26292 Special Use	Wesley C. Carter Sr., Lessee Request to continue occupying a portion of the premises as a religious assembly. Action: Granted 1 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	6802 W. Villard Av. A/K/A 6800 W. Villard Av. 2nd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	26703 Special Use	Penfield Children's Center, Lessee Request to continue occupying the premises as a day care center for 150 children infant to 3 yrs. of age (up to 14yrs of age on an outpatient basis), Monday thru Friday 6:30 a.m. - 6:00 p.m.	833 N. 26th St. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
10	26676 Special Use	Southeastern Youth & Family Services Inc., Property Owner Request to continue occupying the premises as a day care center for 102 children infant to 12 yrs. of age, Monday thru Friday 6:00 a.m. to 6:00 p.m.	7918 W. Capitol Dr. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is implemented and maintained in a manner that is consistent with city code. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	26684 Special Use	Cousins Submarines, Inc., William F. Specht & James F. Sheppard; Lessee Request to continue occupying the premises as a fast-food/carryout restaurant with a drive-through.	7603 W. Burleigh St. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in accordance with the approved landscape plans.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>6. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	26696 Special Use	Ruby Isle, Inc., John Kalupa; Lessee Request to continue occupying the premises as a motor vehicle repair and tire sales facility.	11137 W. Silver Spring Av. 5th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That all repair work is conducted inside of the building. 7. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 8. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	26689 Use Variance	Patricia A. Maben, Property Owner Request to continue occupying the premises as a day care center for 8 children infant to 12 yrs. of age, Monday thru Friday 6:00 a.m. - 12:00 a.m.	3278 N. 21st St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there be no signage associated with the day care facility 5. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M. 6. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	
14	26647 Special Use	Lynell Venessa Daniels & Tiffany Cross Property Owner Request to continue occupying the premises as group home for 4 teenage mothers and their children (total of eight persons on site).	3282 N. 46th St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	26681 Use Variance	Sallie Thomas, Property Owner Request to continue occupying the premises as a day care center and increase the number of children on site from 35 to 43 children infant to 12 yrs. of age, Monday thru Friday 6:00 a.m. to 6:00 p.m.	4031 N. 38th St. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions regarding this case are complied with. 5. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	
16	26707 Use Variance	Wendell J. Harris, Property Owner Request to continue occupying the premise as a day care center for 8 children infant to 12 yrs of age, Monday-Friday 6:00am-5:00pm.	3402 N. 40th St. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. 5. That there be no signage associated with the day care facility. 6. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	26711 Special Use	Bethel Tabernacle, Property Owner Request to construct an addition to the existing religious assembly hall.	5419 W. Hampton Av. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.	
18	26721 Special Use	Donna Chambers, Property Owner Request to continue occupying the premises as a group home for 8 girls.	3044 N. 25th St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	26680 Special Use	Bell Therapy Inc., Property Owner Request to continue occupying the premises as a community based residential facility for 6 adults (developmentally disabled).	6105 W. Keefe Avenue Pk. 10th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	26627 Special Use	Interjeet Dhillon, Dhillon's Enterprises, LLC;Property Owner	2072 S. 6th St. 12th Dist.
		Request to add motor vehicle sales to the existing motor vehicle repair facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</p> <p>5. That all repair work is conducted inside of the building.</p> <p>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>7. That the premises is landscaped per the landscape plan submitted to the Board of Zoning Appeals on May 26, 2005, and that landscaping and screening is installed within 90 days of Board approval of the special use permit weather permitting.</p> <p>8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>9. That the petitioner submit a revised plan of operation that corresponds to the May 26, 2005 site plan.</p> <p>10. That the petitioner submits plans to the Milwaukee Development Center and obtains permits for paving the additional vehicle parking area.</p> <p>11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	26661 Special Use	Super Petroleum LLC., Jean Ghuman;Property Owner	5979 S. Howell Av. 13th Dist.
		Request to raze the existing structure and construct a motor vehicle filling station, car wash and convenience store.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening plans which meet the intent of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>7. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises.</p> <p>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	26679 Special Use	Seema Varma, Lessee Request to continue occupying the premises as a motor vehicle filling station, convenience store, and car wash.	110 E. Layton Av. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>5. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>7. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>8. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	26659 Special Use	Jesse Reed, Lessee Request to continue occupying the premises as a second hand sales facility.	4909 W. Center St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no merchandise is displayed or stored outside at any time. 5. That the storefront windows are maintained in a neat and orderly manner. 6. That the applicant does not have any outdoor display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	26660 Special Use	Spiritual Awakening Day Care Inc., Larry Johnson; Lessee	3910 W. Galena St. 15th Dist.
		Request to continue occupying the premises as a day care center (8 children on site).	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there be no signage for the day care facility. 5. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	26662 Special Use	Babies Christian Day Care Inc., Quincy Johnson;Property Owner Request to continue occupying the premises as a day care center (8 children on site).	3917 W. Galena St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That there be no signage for the day care facility.</p> <p>5. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M.</p> <p>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	26670 Special Use	Joann Harris, Property Owner Request to continue occupying the premise as a community living arrangement for 8 elderly individuals.	1628 N. 19th St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of time commencing with the date hereof and expiring on June 18, 2007. 	
27	26672 Special Use	Laura A. Kates, Property Owner Request to continue occupying the premises as a day care facility for 8 children infant to 12yrs of age, Monday-Sunday 6:00AM to Midnight.	2205 W. Lloyd St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of ten (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	26677 Special Use	Transitional Living Services Inc. Property Owner Request to continue occupying the premises as a community based residential facility for 12 adult males.	2466-68 N. 50th St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be scheduled at the next available agenda.	
29	26683 Dimensional Variance	James Sayers, NIDC;Prospective Buyer Request to construct a single family dwelling without the required side street setback.	2202 N. 51st St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	26687 Special Use	Pamela McNealy, Property Owner Request to continue occupying the premises as a group home for 8 clients (adolescent girls 12-18 yrs. of age).	3812 W. Roberts St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
31	26633 Extension of Time	Seidel Tanning Corp., Property Owner Request for an extension of time to comply with the conditions of Case Number 24443 to construct an addition to the existing (3 shift operation) leather drying, dying and finishing facility.	1306 E. Meinecke Av. 3rd Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the extension. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	approved for 6 months.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	26203 Special Use	Tri-Corp Housing, Mike Brever;Property Owner Request to continue occupying the premises as a transitional facility (92 resident rooms).	2713 W. Richardson Pl. 4th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
33	26566 Appeal of an Order	David P. Ryan & Jean M. Ryan Property Owner Request to appeal an ordered issued by the Department of Neighborhood Services determining the premises to be occupied as a heavy and light motor vehicle outdoor storage facility and an outdoor salvage operation.	5834-36 W. Lisbon Av. 10th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to uphold the order. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
34	26186 Special Use	Heaven Sent Elderly Facility Property Owner Request to occupy the premises with four licensed adult family homes on site totaling 16 clients (ages 60-85).	4146 W. Martin Dr. 10th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	26611 Dimensional Variance	Lance & Kathy Dornbrook, Property Owner Request to construct a second detached garage on the premises without the minimum required east side setback.	1723-25 E. Ontario St. 14th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
36	26608 Special Use	Lakesha Young, Lessee Request to occupy the premises as a day care center for 8 children infant to 12yrs of age Monday-Friday 6:30AM-6:30PM, Saturday 6:30AM-3:30PM.	7555 N. Teutonia Av. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the petitioner provide at least 750 square feet of fenced outdoor to meet the minimum requirements of the State of Wisconsin. 8. That the petitioner obtains an occupancy certificate and complies with current State commercial code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	26641 Special Use	Ruby Davis, Property Owner Request to occupy the premises as a 24 hr. family day care home for 24 children (8 per shift) infant to 12yrs of age, Monday-Friday.	4801 W. Villard Av. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. 6. That the petitioner reside on site. 7. That the petitioner take all measures necessary to control loud noise on the premises associated with late night drop offs and pickups, including, but not limited to, hiring private personnel as necessary. 8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	26515 Special Use	Lester & Ernestine Wilkerson, Property Owner Request to occupy the premises as an adult family home for 4 women (elderly). Action: Granted 1 yrs. Motion: Donald Jackson moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	5821 N. 66th St. 2nd Dist.
39	26604 Use Variance	Carla Cawthorn, Property Owner Request to occupy the premises as a family day care center for 8 children infant to 12 yrs, Monday-Friday 6:00AM-10:00PM. Action: Dismissed Motion: Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	8720 W. Lynx Av. 2nd Dist.
40	26011 Special Use	Jeff Eaton, Lessee Request to add a contractor's yard and continue occupying the premises as an office, equipment repair (repair personal and business vehicles) and contractor's shop. Action: Denied Motion: Scott Winkler moved to deny the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	7219 W. Fond Du Lac Av. A/K/A 7235 W. Fond Du Lac Av. 2nd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	26536 Special Use	Milwaukee Public Schools, Lessee Request to occupy the upper portion of the premises as a secondary/elementary school.	5401 N. 76th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
42	26658 Special Use	Kendra Terry, Lessee Request to increase the number of children on site from 24 to 31 and increase the hours of operation from 7:00 a.m. to 5:30 p.m. to 24 hrs. of the existing Board approved day care center (facility would be open 7 days per week).	2500 N. Holton St. 3rd Dist.
	Action:	Granted	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as clear glass and are maintained in an attractive manner. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on January 23, 2007. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	26663 Dimensional Variance	Vincenzo & Nancy A. Tarantino, Property Owner Request to combine the parcels and raze the existing single-family dwellings to construct a multi-family residential dwelling (4 town homes).	1771-75 N. Marshall St. 3rd Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
44	26640 Other	Randy Bryant, Property Owner Request to modify the Board approved plans for the second principal dwelling unit on the premises(reducing size).	2022-24 E. Lafayette Pl. 3rd Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
45	26630 Extension of Time	Bulk Petroleum Corp., Property Owner Request for an extension of time to comply with conditions of case No.24018 to construct a motor vehicle filling station and convenience store.	1932 W. State St. 4th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	26556 Special Use	Bruce Croatt & Wayne Croatt, Lessee Request to occupy a portion of the premises as a health clinic (mental health clinic).	2801 W. Wisconsin Av. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	
47	26578 Special Use	Ark of the New Covenant Church of God in Christ, d/b/a Ark Haven for Elderly;Property Owner Request to construct a community living arrangement (separate building) for 12 residents adjacent to the existing community living arrangement (residents with advanced aged, developmentally disabled, dementia & Alzheimer, illness).	8050-54 W. Appleton Av. 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant continue to work in conjunction with the Department of City Development on the design of the building. 5. That any Variances required to construct this facility would need separate Board action. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on July 17, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	26665 Special Use	Mount Horeb Baptist Church Rev. Roy Hopgood Jr.;Property Owner Request to construct a religious assembly hall on the premises.	534-40 W. Center St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
49	26548 Special Use	A Bishop Farm, Inc., Lessee Request to occupy the premises as a contractors yard and shop.	3373 N. Holton St. A/K/A 419 E. Townsend St. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code. 5. That no vehicles or materials are stored outside. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	26625 Use Variance	Adam Hampton, Lessee Request to occupy a portion of the premises as a general retail establishment (grocery store).	4201 W. Bonny Pl. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled at the next available hearing.	
51	26629 Special Use	Alejandro Mora, Mora's Auto Sales Ltd.;Property Owner Request to occupy the premises as a motor vehicle sales and repair (tire installation) facility.	3120 W. Burnham St. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled at the next available hearing.	
52	26605 Special Use	Hmong Senior Paradise Center, LLC Lessee Request to occupy the premises as an adult day care center, Monday-Friday 8:30 AM-4:40 PM, Saturday 9:00AM - Noon.	3616 W. National Av. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate and complies with current State commercial code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	26612 Special Use	Laura Angulo, Lessee Request to add a general retail establishment to the existing office.	2635 W. Burnham St. A/K/A 1904 S Layton Bl 8th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows are maintained in a neat and orderly manner. 5. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on February 14, 2008. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	26618 Special Use	Bulk Petroleum, Prospective Buyer Request to occupy the premises as a motor vehicle filling station with a convenience store.	7535 W. Burleigh St. A/K/A 7531 W Burleigh St 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That Provided that the remediation building is removed from the site prior to occupancy.</p> <p>5. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>7. That the applicant complies with all building code and zoning conditions prior to occupancy.</p> <p>8. That a revised landscape plan that meets the intent of city code section 295-405 is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group prior to the issuance of any permits. The revised plan must include identifiable pedestrian links from the building to W. Burleigh St and to N. 76th St., and also include additional plant materials to buffer the site from the south-abutting residence.</p> <p>9. That signage plans which meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>10. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>11. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises.</p> <p>12. That the facility close at 11:00 p.m.</p> <p>13. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	26495 Special Use	Vivian M. Lee, Lessee Request to occupy the premises as a community based residential facility for 8 residents (elderly).	7505 W. Burleigh St. 10th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the facility be open to visitors from 8 a.m. until 8 p.m. 5. That the petitioner acquires off street parking to be utilized by visitors and staff. 6. That all orders issued by the Department of Neighborhood Services be resolved prior to the issuance of an occupancy certificate. 7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	26635 Special Use	<p>Andy Khullar & Mike SanfillipoProperty Owner</p> <p>Request to raze the existing attached car wash and construct 2 detached car washes, replace the existing convenience store with a sit-down restaurant, and construct a new convenience store with additional fueling pumps for the motor vehicle filling station (also a three bay oil/ lube facility and a carry-out restaurant a with drive-thru is being proposed for this site).</p>	<p>605 S. 1st St. A/K/A 611 S 1st St 12th Dist.</p>
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits for the development along West Bruce Street. 5. That signage plans which meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits for the development along West Bruce Street. 6. That site illumination plans which meet the requirements of s.295-409 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits for the development along West Bruce Street. 7. That the petitioner must continue to work with DCD staff on design related revisions to ensure that the proposal meets cross-referenced zoning requirements, especially for the westerly (restaurant) portions of the building, to create neighborhood compatibility in terms of building modulation and articulation; and to maintain consistency with the existing building in terms of design quality and materials. Revised building elevations must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits for the development along West Bruce Street. 8. That a revised plan of operation for all development proposed along West Bruce Street is submitted to the Board of Zoning Appeals. 9. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 10. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises. 11. That the proposed uses not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 12. That the applicant does not have outdoor storage or display of products or merchandise. 13. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 14. That the applicant complies with all conditions of the Board of Zoning appeals prior to occupancy. 15. That this Special Use is granted for a period of time commencing with the date hereof and expiring on July 10, 2010. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	26078 Special Use	Judith Barwick, Lessee Request to occupy the premises as an outdoor merchandise sales facility.	4203 S. Howell Av. 13th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
58	26588 Special Use	James & Carol Airoidi, Property Owner Request to construct a new building to accommodate heavy motor vehicle repair to the west of the existing heavy motor vehicle repair and leasing facility (truck repair & leasing).	5467 S. 9th St. A/K/A 5457 S. 9th St. 13th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	26650 Special Use	Mark D. Gadian, Prospective Buyer Request to occupy premises as a motor vehicle sales facility (5510 S. 27th is a vacant lot and would be used as an extension to the adjacent motor vehicle sales facility).	5510 S. 27th St. 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That signage plans which meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Freestanding signs in LB1 districts are limited to a maximum sign area of 50 square feet.</p> <p>6. That site illumination plans which meet the requirements of s.295-409 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>7. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</p> <p>8. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</p> <p>9. That a six (6) ft. tall cedar fence be installed on the shared property line of 5540 and 5546 S. 27th street.</p> <p>10. That this Special Use is granted for a period of time commencing with the date hereof and expiring on December 17, 2008.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	26671 Dimensional Variance	Outpost Natural Foods, Pam Mehnert; Lessee Request to remodel the premises and occupy it as a general retail establishment without the minimum glazing.	2826 S. Kinnickinnic Av. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That all truck deliveries occur at the two rear dock doors. 5. That no trucks either deliver or be on the premises between 11 p.m. and 7 a.m. 6. That the trash compactor not be located in the front of the facility. 7. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 8. That this Variance is granted to run with the land. 	
61	26675 Dimensional Variance	Monique Charlier, Property Owner Request to construct an addition to the existing garage without the minimum required rear yard setback.	2535 S. Delaware Av. 14th Dist.
	Action:	Granted	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	26584 Special Use	Chris Colton, Lessee Request to occupy the premises as a day care center for 40 children infant to 12 yrs. of age, Monday thru Friday 6:00 a.m. to 12:00 a.m.	569 W. Lincoln Av. 14th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the State of Wisconsin grants an exemption for an off premise play area at 2338 South 6th Street.</p> <p>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>6. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>8. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	26573 Special Use	<p>Gunny Petroleum, Satwinder Singh; Prospective Buyer</p> <p>Request to amend the previous conditions of approval (condition No.11 of Case No, 24904 that all driveways on N. 23rd St. are closed with curb and gutter) and continue occupying the premises as a motor vehicle filling station and convenience store.</p> <p>Action: Granted 2 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 5. That a revised landscape and screening plan meeting the intent of city code section 295-405 is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. the revised plan must incorporate any changes to previously approved curb cuts and must include acceptable screening of all garbage dumpsters. 6. That revised site illumination plans, which meet the requirements of s.295-409 of the Milwaukee Zoning Code, must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically the revised plan must indicate that illumination not exceed one (1) foot-candle along any property line that abuts a residential zoning district and not exceed five (5) foot-candles along any other property line. 7. That all previous conditions of the Board regarding this property are complied with. 8. That the driveway on North 23rd Street be no wider than 30 feet. 9. That a no right turn sign be erected on the North 23rd street side of the property. 10. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	<p>2312 W. Fond Du Lac Av. A/K/A 2306 W Fond Du Lac Av 15th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	26614 Special Use	<p>Felecia Williams, Property Owner</p> <p>Request to occupy the premises as a 24 hr day care center for 8 children per shift infant to 12yrs of age, Monday-Friday.</p>	<p>4215-17 W. Spaulding Pl. 15th Dist.</p>
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
65	26615 Special Use	<p>Hope L. Harris, Property Owner</p> <p>Request to occupy the premises as a family day care home for 8 children infant to 12yrs of age, Monday-Friday.</p>	<p>2334 W. Galena St. 15th Dist.</p>
	Action:	Granted 2 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 5. That no signage is permitted. 6. That the petitioner take all measures necessary to control loud noise on the premises associated with late night drop offs and pickups, including, but not limited to, hiring private personnel as necessary. 7. That the hours of operation for the facility shall be 6 a.m. through midnight. 8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	26666 Special Use	Anica Davis, Property Owner Request to occupy the premises as a 24 hr. family day care home for 8 children infant to 12yrs of age, Monday-Sunday.	2466 W. Garfield Av. 15th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
67	25825 Special Use	Mary Jones, Lessee Request to occupy the premises as a community living arrangement for 5 developmental disabled residents.	4635 N. 66th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
68	26106 Special Use	Community Village Social Services, Inc. Lessee Request to occupy the premises as a group home for 4 youth (behavioral & emotional problems).	1230 N. 25th St. A/K/A 1228 N. 25th St. 4th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
69	26429 Special Use	Larry Butler, Property Owner Request to continue occupying the premises as a community living arrangement for 5-8 women.	2526 W. Highland Av. A/K/A 2528 W. Highland Ave. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner and will be rescheduled for the next available agenda.	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
---------------------------	--------------------------------------	--------------------	------------------------------------

Other Business:

Board member Jackson moved to approve the minutes of the May 19, 2005 meeting. Seconded by Board member Szymanski. Unanimously approved.

The Board set the next meeting for July 7, 2005.

Board member Szymanski moved to adjourn the meeting at 7:16 p.m.. Seconded by Board member Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board